# THE BOMBAY FODDER AND GRAIN CONTROL ACT, 1939.

CONTENTS.

PREAMBLE.

SECTIONS.

1. Short title, extent and commencement.
2. Definitions.
3. Power to declare famine and scarcity areas and to fix standard prices.
4. (*1*) Sum in excess of the standard price not to be recovered.
   (*2*) Vendor to give receipt to purchaser.
5. Prohibition against removal of fodder or grain from any local area.
6. Sums in excess of standard price not to be recoverable.
7. Penalty for contravention of section 4 or 5.
8. Rules.

MO-II Bk H 957—47

## CHAPTER V.

### MISCELLANEOUS.

SECTIONS.

15. Payment and recovery of amount.

16. Right of entry.

17. Inquiries to be held summarily.

18. Permission to owners to increase rent on account of improvements effected.

19. Registration of document, plan or map in connection with land improvement scheme not required.

20. [*Repealed.*]

21. Delegation.

22. Certain Officers to be public servants.

23. Protection of persons acting in good faith and limitation of suits and prosecutions.

24. Power to make rules.

25. Power of Provincial Government to direct preparation of scheme, in certain circumstances.

25A. Provincial Government may carry out works in a scheme and subsequently recover cost from owners of lands.

26. Expenditure incurred by Provincial Government to be charged on revenues of Province.

27. Saving.

28. Validation of constitution and acts of Board.

29. Saving of Khar lands.

# BOMBAY ACT No. XXVI OF 1939.[1]

[THE BOMBAY FODDER AND GRAIN CONTROL ACT, 1939.]

[*12th December 1939.*]

Amended by Bom. 17 of 1941.*

**An Act to provide for the control and regulation of supply and distribution of fodder and grain including regulation of prices thereof in the Province of Bombay on occasions of famine or scarcity.**

WHEREAS it is expedient to provide for the control and regulation of supply and distribution of fodder and grain including regulation of prices thereof in the Province of Bombay on occasions of famine or scarcity; It is hereby enacted as follows :—

Short title, extent and commencement.

1. (*1*) This Act may be called the Bombay Fodder and Grain Control Act, 1939.

(*2*) It shall extend to the whole of the Province of Bombay.

(*3*) It shall come into force with effect from such date as the Provincial Government may by notification in the Official Gazette appoint.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context,—

(*1*) "Famine area" means any area declared to be famine area under section 3;

(*2*) "Scarcity area" means any area declared to be a scarcity area under section 3;

(*3*) "Standard price" means the maximum price fixed for sale of fodder or grain under section 3.

Power to declare famine and scarcity areas and to fix standard prices.

3. (*1*) The Provincial Government may, from time to time, by notification in the Official Gazette, declare that a state of famine or scarcity prevails in any local area in the Province; and thereupon the said area shall be deemed to be a famine area or a scarcity area, as the case may be, for the purposes of this Act for such period as the Provincial Government may direct

(*2*) On a declaration being made under sub-section (*1*), the Provincial Government may also by like notification declare that all contracts for the sale of fodder or grain of any kind entered into on or after the date specified in the notification shall be subject to the provisions of this Act.

(*3*) The Provincial Government may, by notification in the Official Gazette, fix a standard price for the sale of fodder or grain in any famine area or scarcity area or in such other area as may be specified in the notification.

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[1] For Statement of Objects and Reasons, *see Bombay Government Gazette*, 1939, Part V, p. 445 or Bombay Legislative Assembly Debates, 1939, Vol. 7, p. 2342 or Bombay Legislative Council Debates, 1939, Vol. 8, p. 484.

For Proceedings in Assembly, *see* Bombay Legislative Assembly Debates, 1939, Vol. 7 pp. 826-33, 864-94 and for Proceedings in Council, *see* Bombay Legislative Council Debates, 1939, Vol. 8, pp. 315-22.

* This Act was re-enacted by Bom. 11 of 1948, s. 2.

Sum in excess of the standard price not to be recovered.

**4.** (*1*) No person shall recover on account of sale of fodder or grain of any kind in any area for which a standard price has been fixed under sub-section (*3*) of section 3 any sum in excess of the standard price.

Vendor to give receipt to purchaser.

(*2*) Every vendor of grain or fodder or any person acting on his behalf selling fodder or grain in any area referred to in sub-section (*1*) shall give to the purchaser a receipt showing the sum received as the consideration for the sale, the quantity and the quality of fodder or grain sold.

Prohibition against removal of fodder or grain from any local area.

**5.** (*1*) After the Provincial Government has made a declaration under sub-section (*1*) of section 3 that a state of famine or scarcity prevails in any local area and during the period for which such delaration is in force, the Provincial Government may, at any time, on being satisfied that it is necessary for the relief of poor persons or for the protection of agriculture or for the preservation of public health in such famine area or scarcity area that the removal of fodder or grain of any kind from such famine area or scarcity area or from any other local area should be restricted, direct, by notification in the Official Gazette, that no person shall remove from the local area mentioned in the notification such fodder or grain without permission in writing of the Collector or such other officer as may be authorised by him in this behalf.

(*2*) On such direction being issued no person shall remove [1][or attempt to remove] from the local area mentioned in the notification any such fodder or grain [2][without obtaining permission in the manner provided in sub-section (*1*) for the removal of such fodder or grain.]

Sums in excess of standard price not to be recoverable.

**6.** (*1*) Any sum agreed to be paid as consideration for the sale of fodder or grain of any kind in excess of the standard price shall be irrecoverable.

(*2*) If any such sum has been paid, it shall be recoverable by the person paying the same from the person to whom it was paid.

Penalty for contravention of section 4 or 5.

**7.** Whoever contravenes any of the provisions of section 4 or 5 shall, on conviction, be punishable with imprisonment for a term which may extend to two years or with fine which may extend to Rs. 1,000 or with both.

Rules.

**8.** The Provincial Government may by notification in the Official Gazette make rules for carrying out the provisions of this Act.

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[1] These words were inserted by Bom. 17 of 1941, s. 2, read with Bom. 11 of 1948, s. 2.

[2] These words were substituted for "without permission in the manner provided in sub-section (*1*)", *ibid*.